

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

455J0397

HOUSE BILL NO. 1072

Introduced by: The Committee on Commerce at the request of the Public Utilities Commission

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the authority of the
2 Public Utilities Commission to impose civil fines.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 49-31-38 be amended to read as follows:

5 49-31-38. Any person who violates, neglects, fails, or refuses to comply with any of the
6 provisions of chapters ~~49-30 to 49-32, inclusive,~~ 49-1A, 49-13, and this chapter, not otherwise
7 specifically penalized in those chapters, or who violates, neglects, fails, or refuses to comply
8 with any lawful order, rule, or regulation of the commission in connection with the regulation
9 of telecommunications companies, is punishable by a civil fine of not less than two hundred nor
10 more than one thousand dollars for each offense.

11 Section 2. That § 49-31-38.1 be amended to read as follows:

12 49-31-38.1. Except as otherwise specifically provided ~~or unless relieved from the~~
13 ~~consequences of a violation of law, any telecommunications company subject to the provisions~~
14 ~~of this chapter, or whenever any such telecommunications company is a corporation, any~~
15 ~~director or officer thereof, or any receiver, trustee, lessee, agent or person acting for or employed~~



1 ~~by such corporation who, alone, or with any other corporation, company, person or party, any~~
2 person who intentionally does or causes to be done, or intentionally permits or omits to be done,
3 any act, matter or thing prohibited, required, or declared to be unlawful in chapters ~~49-7 to 49-~~
4 1A, 49-13, inclusive, and this chapter ~~shall be punished, or intentionally violates, or refuses to~~
5 comply with any lawful order, rule, or regulation of the commission, is punishable by a civil
6 fine of not less than five hundred nor more than five thousand dollars for each offense.